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. The 192nd meeting of the CIA Retirement Board convened at 2:00 p.m. on Thursday, 26 October 1972, with the following present:

Mr. Harry B. Fisher, Chairman

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[REDACTED] DDP Member

[REDACTED] DDI Member

Mr. John D. Iams, DDS&T Alternate Member

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[REDACTED]

Guests:

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[REDACTED]

MR. FISHER: Does anybody have any problems with the Minutes of the 28 September meeting? (No response.) They stand as written.

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Next we have the [REDACTED] case.

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. . . [REDACTED]

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[REDACTED] joined the meeting at this point . . .

MR. FISHER: The Board is not familiar with the [REDACTED]

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[REDACTED] case at all, because it was put on the agenda at the last moment.

First of all, I think his supervisor's statement is pertinent because it is a little different than most. (Reading)

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"I was [REDACTED] supervisor during the period October 17, 1971 to May 1972. During that time [REDACTED] took some sick leave in order to have medical examinations performed I believe at a military facility. Although I am unaware of the specifics of his medical condition, it is my recollection that

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[REDACTED] did not inform me of his decision to seek a disability retirement until his last day of work in FE [REDACTED]

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He had, however, mentioned the possibility of such a course of action on his part infrequently during our association. To the best of my knowledge his infirmities were not a result of vicious habits, intemperance, or wilful misconduct.

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"Although he was absent on sick leave slightly more than one would expect from an average employee, it is my belief that [REDACTED] was not totally disabled and could have continued to function efficiently with the Agency."

Most supervisors' reports don't read that way. The medical 25X1A part of it [REDACTED] will give you in a minute.

There's one other little piece. On 19 October we did receive a letter from Dr. Tietjen saying that [REDACTED] had based his application primarily on problems he has had with his legs. "The Board of Medical Examiners considered the total information, including the statement from Subject's private physician, his supervisor's statement, the medical history and medical record, and the reports of recent examinations. The Board did not find Subject sufficiently impaired to warrant medical disability retirement and it is recommended the application be disapproved. The application could be reconsidered in the event that new or additional evidence is submitted."

Then we have a letter from [REDACTED] dated 3 October 25X1A in which he says:

"It would be appreciated if you could expedite to the extent possible the decision on my request for medical retirement. As you know, my request was submitted on 15 May 1972."

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When was he scheduled to retire?
[REDACTED] He had an approved voluntary retirement for 15 May.

MR. FISHER: Two days before his approved voluntary retirement - which had gone to the Director, been approved, and was being processed - he asked that it be stopped and said he was going to apply for disability retirement.

He has already accumulated a bit of mileage on this

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because he has been on sick leave since May -- so, win, lose or draw, he's way ahead of the game already.

I just give you this little bit of information. He has been out doing whatever it was he wanted to do when he voluntarily retired.

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[REDACTED] He has spent half his time in the Agency since then, in our law library, working on his claim against the Agency --

MR. FISHER: A claim for something else.

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[REDACTED] Yes, for something else.

MR. FISHER: (Continues reading)

"My reason for asking for an early decision in my case is that I have had an offer for other employment. The offer is of limited duration."

I take that to mean that the offer will only be available for a limited period of time.

"And I can't accept the job offer until I have officially retired from employment with the U.S. Government either on medical retirement or regular retirement. As you can well imagine, I can't support a wife and small baby on my retirement pay and I must seek other employment when I retire. In the event it is decided by the Board to give me retirement for medical reasons, I request the retirement become effective immediately and any unused sick leave be credited toward my length of service."

Which is a fairly honest approach. I guess he could have argued - "Please let me run out my sick leave."

"If this is not possible please advise me at the earliest opportunity so I can advise my future employer of my current status and when I will be available for employment."

Now I read this because it seems to me this man recognizes there's a good possibility of this being turned down. I could be wrong. My betting would be that he may not even appeal. It looks like he's giving this a try and if it doesn't work, so be it.

Well, with those introductory comments I'll turn it over

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to [REDACTED].

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[REDACTED] Let me give you this summary.

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MR. FISHER: Yes.

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[REDACTED] Can you take him off of sick leave if his own doctor says he's still sick?

MR. FISHER: That's why I pointed out that in his letter

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[REDACTED] said he wanted to be taken off of sick leave.

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[REDACTED] But that doesn't answer my question - can you? or can't you?

MR. FISHER: It's a tough one. We really don't have a statement from his doctor saying that this man is too sick to work. Of course we could ask for that, and the chances are that we would get it. And then it becomes a question of - "Well, we don't believe you -- and it's our doctors versus your doctor." It just isn't an easy one. You have to consider each case by itself. On one we did insist that the guy come in and be examined by our doctors. But it's easy for a man to win on sick leave if he has a doctor that will put in writing - "This man is too sick to work."

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[REDACTED] says he wants to get off of sick leave.

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[REDACTED] I realize that, but I've heard people say-- And I don't know if anybody has ever done this. I've heard people say you can apply for sick leave and if your doctor says you're sick, and you apply for disability retirement, you can use up your sick leave even if your disability retirement is later disapproved.

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MR. FISHER: [REDACTED] has not said - "If it's disapproved I'm going off sick leave." He said if he got his disability retirement to go ahead and take him off sick leave. So we don't know what he is going to say. I think probably in his negotiating for the job for some reason he has to be in a position to say, "I don't work for the Government" -- and if that is true, he will want to conclude his relationship. But if he got

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turned down for this job he would be a little foolish if he didn't say he would like to continue on sick leave.

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[REDACTED] He is coming in tomorrow. Can I tell him verbally what is coming?

MR. FISHER: Yes, you can tell him that we had [REDACTED] 25X1A

up here, and we considered it, and you were instructed to say that the application for disability retirement has been turned down.

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[REDACTED] But he can decide to stay on in the Agency, can't he? voluntarily?

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MR. FISHER: That's [REDACTED] problem - but yes, I guess he could. But apparently - because of his initial application for voluntary retirement - he has an intention to leave.

Again a new subject. You all should know this. We are not only approving but we are actually seeking out the people who are scheduled for retirement in December and telling them that they may extend until January 8th. Now those that are voluntary in December always have the option of saying they would like to defer this. But even those that are mandatory-- And this is based on almost the sure thing that there will be a pay raise effective the 1st pay period in January, and it does give these people their lump sum annual leave at the higher rate, and in some cases it gives as much as \$2,000 more in insurance.

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[REDACTED] You're telling the voluntaries about this, too?

MR. FISHER: Yes, we will get in touch with everybody.

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[REDACTED] Good.

MR. FISHER: Most of them are saying they want to go to the 19th of January - the 19th being the end of the 1st pay period in 1973.

The only positive word we've had is that Udall did come out and say he believes there's going to be a Presidential pay increase.

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MR. FISHER: Next case, request for extension of retirement date under the Civil Service - [REDACTED] I'm 25X1A prejudiced at this point in time because we're having a rough time getting clericals.

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[REDACTED] This is what I told Proctor on this case.

MR. FISHER: Which is a pretty selfish, Director of Personnel approach -- but not only are we running behind on clericals and finding ourselves unable to fill all the demands but we're going on an all-out campaign -- which is having some degree of success but not as much as we would like. We're putting out a paper, really, for local consumption, asking for part-time workers - older women who are interested in working part time. And we have identified 17 components that are willing to take part-timers, too.

In addition to all of that, we find it most difficult to place clericals down in NPIC, because they don't want to move down to that area. NPIC is one of the more difficult ones to fill.

So, taking all of these things into consideration-- And I would say discounting her argument, because I wouldn't want to see a

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[REDACTED]
fact of the matter is that it's to our own interest to extend her at this particular time. This is the way I feel about it.

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[REDACTED] I was in favor of it even before your speech.

But it was a good speech though.

25X1A [REDACTED] Yes, I think it should be based on the fact that we need clericals. And she realizes that she doesn't have a very strong case of her own.

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[REDACTED] The record should clearly reflect that we are not approving it on the basis of her plea --

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MR. FISHER: And I think the letter from the Director should say we don't approve it on the basis of her requirement of sending a kid through college.

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[REDACTED] You don't see a change in the clerical situation by June of next year? That's really when her retirement date comes up.

MR. FISHER: That's a difficult question. Next June, who knows? Maybe we will be doing much better. But I'd have to be pretty optimistic --

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[REDACTED] Is this a temporary thing or something that's going to go on for a number of years.

MR. FISHER: This is what happened. In 1971 we had a fairly normal attrition of clericals but we had a very large number of eliminations of clerical positions to absorb that 531 cut the Agency took and therefore although we lost this many girls, we got little demand for clericals because they were leaving jobs that were being eliminated. In 1972 the attrition isn't all that much greater but the demand for replacement is now almost instantaneous, and instead of being able to get by with about 50 girls a month we now need about 80 girls a month. And we have known this for months, and we are trying to fill up that pipeline but we're just finding it very difficult. And in the meantime -- and now I'm really getting into the details -- but we really had a disagreement with [REDACTED]

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25X1A [REDACTED] who ran the pool, because she seemed to think she knew better than we did and she prided herself on not piling up people in the pool. We kept saying - "But it isn't going to be like this next year." So now we have all of our recruiters working on clerical recruitment.

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[REDACTED] We're trying to get all of our girls to do some recruiting themselves when they go home for Thanksgiving and Christmas. We've had success with this at different times -- they come back and bring applicants back to their own offices.

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. . . Motion was then made and passed that

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[REDACTED] retirement under the Civil

Service System be extended to 12 June 1974 . . .

MR. FISHER: I still feel I'd like to take one crack with the Board on some modification of paragraphs 11(a), (b) and (c). You have all been sitting around here long enough, and I'd be interested in any suggestions you might have for modifying our definition of qualifying service in a way that you think would make it easier for the Board to administer, and fair to the people, and clear to them. It has given us trouble from time to time. I admit we seem to survive with it. John

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[REDACTED] and I have talked about it a long time and we're about to go to press with some changes. If any of you have any thoughts on this, I'd like you to send them along, if you have any suggestions, or possibly express your thoughts at our next meeting and we can kick them around.

There's one more thing I'd like to just throw out to the Board generally. Some time back after a series of things-- Such as the widow of one of our military types who had died without designating any survivor benefits and she was raising hell about that -- and one example in the Agency of a guy who didn't designate survivor benefits -- the thought came up that it would be well to advise a wife that the husband had not elected a survivor benefit -- and also the thought: Is this invasion of the man's privacy? I don't think we could ever make the man change his mind --

MR. IAMS: But it could sure ruin his home life!

MR. FISHER: Subsequently we recognized that the Foreign Service has a minimum requirement for a survivor benefit. And now the new survivor plan has come out for the military types and they actually provide a form letter that goes to the wife, saying - "This is to let you

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being entitled to a survivor benefit. Both of those were military.

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[REDACTED] We don't even tell the wife the amount of her husband's salary.

What kind of statistics do you have?

MR. FISHER: Very few refuse the option. They have to sign a statement that they know what they are doing. Now we have had one very good case we all remember of a guy who signed it this way and then came back over a year later and said he'd like to change it. It's irrevocable. Now we allow a guy to change it before he starts drawing his annuity -- if he comes in and applies two weeks before he retires and wants to change it, fine.

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[REDACTED] This guy tried twice - a year apart.

MR. FISHER: He said - "no survivor benefit" and then he changed his mind. Now you could have a guy who has a very sick wife-- And we have one gentleman who is still working in this Agency whose wife died not too long ago, and the wife was 17 years older than he was -- which is very unusual -- but if he had for some reason retired, he might very well have said - "I'm not going for survivor annuity because the odds are that I'm going to outlive my wife." Or the wife may have a huge estate coming to her or something of this kind. Each man has to analyze his own circumstances. But very few turn it down. Because it is relatively cheap. But this guy - who was a very intelligent guy - did, and frankly I feel the reason he changed his mind was that he connected with a better job than he thought he was going to get, and very quickly, and suddenly he realized - "Gee, with this income that extra couple thousand dollars isn't all that important to me, so now I'd like to go back and change it."

I'm sort of on the fence on this. I sort of wish it was in our System but I'm not sure it's worth all the-- I wish I had some cases to point out.

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[REDACTED] It seems like a very small minority of our retirees don't make maximum benefits available to their wives. If it's maximum, I don't know what good it's going to do the wife to know it or not know it.

MR. FISHER: We would only send this thing where a guy did not leave any survivor benefit. There would be few -- but that guy might have a problem. Then I'm thinking about how you go about it -- because you can't very well hand it to the man -- you could be defeating the purpose.

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[REDACTED] It wouldn't apply to Agency employees under Civil Service.

MR. FISHER: No, we couldn't do anything on those under the Civil Service. So we would have that difference.

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[REDACTED] That is probably argument enough against it.

[REDACTED] I agree.

MR. IAMS: Well, it disturbs me a little bit.

As you know, we have these pre-retirement interviews.

How about having the wife come in with the husband and lay it all out.

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[REDACTED] A lot of them do come in with their husbands.

25X1A [REDACTED] But that particular group wouldn't bring in their wives, though.

MR. FISHER: We will have it in our System the first time that we have somebody write to the Director saying - "My husband died -- why didn't somebody tell me I would have no survivor benefit?" But we can't do it under the Civil Service System. Here again I'd like to think that even the few who don't elect the survivor benefit have discussed this with their wives.

. . . The meeting adjourned at 2:55 p.m. . . .

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